

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

BRIAN S. CHESSON,)	CASE NO. 8:14CV9
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
PARKER HANNIFIN CORPORATION,)	
ET. AL.,)	
)	
Defendant.)	

This matter is before the court on two motions filed by Plaintiff. For the reasons discussed below, both motions are denied.

I. Motion for Appointment of Counsel

Plaintiff seeks the appointment of counsel. The court cannot routinely appoint counsel in civil cases. In *Davis v. Scott*, 94 F.3d 444, 447 (8th Cir. 1996), the Eighth Circuit Court of Appeals explained that “[i]ndigent civil litigants do not have a constitutional or statutory right to appointed counsel. . . . The trial court has broad discretion to decide whether both the plaintiff and the court will benefit from the appointment of counsel” *Id.* (quotation and citation omitted). No such benefit is apparent here. Thus, the request for the appointment of counsel is denied without prejudice to reassertion.

II. Motion for Service of Summons

Plaintiff seeks information concerning service of process in this matter. Plaintiff filed a Complaint on January 13, 2014. (Filing No. 1.) As pled, Plaintiff’s Complaint fails to state a claim upon which relief may be granted. (Filing No. 13 (holding that Plaintiff must file an amended complaint that sufficiently alleges an employment discrimination claim upon which

relief may be granted).) This matter will not proceed to service unless so ordered by this court after review of an amended complaint.

IT IS ORDERED: Plaintiff's motions seeking the appointment of counsel (Filing No. 3) and service of summons (Filing No. 12) are denied.

DATED this 4th day of August, 2014.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge